

**Department of Planning and Budget  
2006 Fiscal Impact Statement**

**1. Bill Number** SB334S1

**House of Origin**     Introduced     Substitute     Engrossed

**Second House**     In Committee     Substitute     Enrolled

**2. Patron**        Obenshain

**3. Committee**    Finance

**4. Title**         Technology; required protection measures; public libraries; exception.

**5. Summary/Purpose:**

Existing law requires library boards to establish acceptable use policies (AUP) for access to the Internet within public libraries. The policies must be designed to prohibit use of library computers for sending, receiving, viewing or downloading illegal material; prevent youths from accessing information harmful to juveniles; and establish appropriate consequences for violation of the policies. Library boards are instructed to take such steps as they deem appropriate to implement the policies, which may include the use of filtering or blocking software. The proposed amendment to the legislation requires, for all libraries that receive state funding for any purpose, that the library must include in its AUP provisions requiring the selection, installation, and activation on those computers that have Internet access a technology protection measure (software) to filter or block access through those computers to child pornography as set out in § 18.2-374.1C1, obscenity as defined in § 18.2-372 and materials deemed harmful to juveniles as defined in § 18.2-390. The bill provides an exception which allows a person authorized by the library to disable the technology protection measure at the request of a patron for bona fide research or other lawful purposes.

**6. Fiscal Impact Estimates are:** Final. See Item 8.

**7. Budget amendment necessary:** No.

**8. Fiscal implications:** Local public libraries and the Library of Virginia will have to purchase and install Internet filtering or blocking software on their public-access computers. The cost of the software is estimated at \$50 per copy initially, and \$35 per copy for upgrades in each of the two succeeding years. It is anticipated that new software will be required every fourth year to keep up with changes in technology. The estimated total costs are \$198,500 in 2005-06, \$138,950 in each of the next two years, and a repeat of this pattern beginning every fourth year, based on 3,970 public access computers throughout the state. For those library systems with more than one branch, the purchase of new hardware to assist with deployment of this software should be budgeted at \$2,500 per library system. Sixty-five of the library systems have branches, and the estimated additional costs for these systems are \$162,500. Thus, the total estimated costs are \$361,000 in the first year, \$138,950 in the second and third years, \$198,500 in the fourth year, and \$138,950 in the fifth and sixth years.

It is anticipated that each library will absorb these costs within its budget. Many libraries already have software in place for the purposes specified in this bill, thus these estimates provide a worst case scenario.

In addition to purchasing the software and hardware, libraries must absorb administrative costs related to installing, monitoring and maintaining the software. These administrative costs have not been quantified and are not included in the expenditure impact above.

**9. Specific agency or political subdivisions affected:** The Library of Virginia and all localities with public libraries.

**10. Technical amendment necessary:** None.

**11. Other comments:** This bill is similar to HB 570.

**Date:** 01/20/06 / jeh

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**cc:** Secretary of Education